

METROPOLITAN AREA PLANNING COMMISSION

MINUTES

May 3, 2007

The regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission was held on Thursday, May 3, 2007, at 1:30 P.M., in the County Human Resources Training Room, Sedgwick County Historic Courthouse, 510 N. Main St., Room 305, Wichita, Kansas. The following members were present: Darrell Downing, Chair; Don Anderson, Vice-Chair; John W. McKay, Jr. (Out @ 2:00); Bill Johnson (In @ 1:31); Bob Aldrich; Elizabeth Bishop; M.S. Mitchell; Don Sherman (In @ 1:31); Bud Hentzen; Ronald Marnell; Hoyt Hillman; Morris K. Dunlap; Michael Gisick (In @ 1:50) and G. Nelson Van Fleet (In @ 1:40). Staff members present were: John L. Schlegel, Secretary; Dale Miller, Current Plans Manager; Neil Strahl, Senior Planner; Bill Longnecker, Senior Planner; Derrick Slocum, Associate Planner and Maryann Crockett, Recording Secretary.

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1. Approval of the April 19, 2007 MAPC minutes.

MOTION: To approve the minutes of the April 19, 2007 MAPC meeting.

MCKAY moved, **ANDERSON** seconded the motion, and it carried (9-0).

DUNLAP abstained due to his absence from the meeting.

JOHNSON and **SHERMAN** in at 1:31 P.M.

2. Consideration of Subdivision Committee recommendations from the meeting of April 26, 2007.

- 2-1. **SUB 2007-29: Final Plat -- DAVIS-MOORE 14TH ADDITION**, located on the south side of Kellogg and west of Greenwich Road.

NOTE: This is replat of portions of both the K.T. Wiedemann Business Park Addition and the Replat of the K.T. Wiedemann Business Park Addition. This plat includes the vacation of Wiedemann. The Wiedemann Business Park CUP (DP-88) was also approved for this site.

STAFF COMMENTS:

- A. City Water Utilities Department comments that City water is available. The existing sewer needs to be relocated. Building plans were submitted for review on 3/19/07 (the address is 10603 E Kellogg). Water plans for a private water project and sewer plans for a private sewer project have also been submitted for review.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. City Engineering has approved the applicant's drainage plan.
- D. Since drainage will be directed onto the Kansas Turnpike, a letter shall be provided from KTA indicating their agreement to accept such drainage.
- E. As requested by Traffic Engineering, additional right-of-way has been dedicated for Kellogg along the east portion of the plat for the introduction of an off ramp.
- F. The plat proposes two access openings along Kellogg. Traffic Engineering has approved the access controls with 300' separation between the openings.
- G. County Surveying has advised that measurement is needed from the monuments found to establish plat boundaries.
- H. County Surveying has requested dimensions on the west side of Chateau need to be corrected.
- I. County Surveying has requested that the twenty-foot utility easement on the north needs to be located.
- J. County Surveying has requested at northwest corner of plat, the fifty-foot utility easement needs to be located.
- K. County Surveying has advised applicant that the plat shows double monuments at northeast, southeast and southwest corners of plat and dimensions are needed.

- L. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- M. For those reserves being platted for drainage purposes, the required covenant that provides for ownership and maintenance of the reserves, shall grant to the appropriate governing body the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.
- N. The perimeters of the proposed lots shall match the perimeters of the CUP parcel boundaries. A CUP adjustment will need to be approved.
- O. A CUP Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved CUP and its special conditions for development on this property.
- P. The platting binder indicates a party holding a mortgage on the site. This party's name must be included as a signatory on the plat, or else documentation provided indicating that such mortgage has been released.
- Q. The platting text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- R. The applicant shall install or guarantee the installation of all utilities and facilities that are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- S. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- T. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone: 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- U. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- V. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.
- W. Perimeter closure computations shall be submitted with the final plat tracing.
- X. A compact disc (CD), which will be used by the City and County GIS Departments, detailing the final plat in digital format in AutoCAD. If a disc is not provided, please send via e-mail to Cheryl Holloway (E-Mail address: cholloway@wichita.gov). Please include the name of the plat on the disc.

MOTION: To approve subject to staff recommendation.

JOHNSON moved, **ANDERSON** seconded the motion, and it carried (12-0).

- 2-2. **SUB 2007-22: Final Plat -- KOCH COMMUNITY PARK ADDITION**, located north of 29th Street North and on the west side of Oliver.

NOTE: This is an unplatted site located within the City. The site has been approved for a zone change (ZON 2006-57) from SF-5, Single-Family Residential to LC, Limited Commercial. The Koch Community Park Community Unit Plan (CUP 2006-53, DP-304) was also approved for this site.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of City water and sanitary sewer to serve the lots being platted. In lieu of assessment fees for sewer main should be included with the sewer petition.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. City Engineering has approved the applicant's drainage plan.
- D. In accordance with the CUP, the following transportation improvements are required:
 - 1. The applicant shall provide a petition to guarantee construction of left-turn center lanes to both major entrances.
 - 2. Complete access control is required along Norwood Lane.
- E. Access controls have been platted in accordance with the CUP approval. The plat proposes three access openings along Oliver, with the center opening limited to rights-in/out movements.
- F. In accordance with the CUP approval (General Provision #25), access for Lots 1 and 2 shall be provided by a 24-foot drive located within a 50-foot access easement. Upon development of Lot 3, the contingent right-of-way dedication shall become effective and the existing access drive shall be rebuilt in conformance with City commercial street standards.

The access easement shall be established by separate instrument. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.
- G. In accordance with the KS Wetland Mapping Conventions under the Memorandum of Understanding between the USDA-NRCS; USEPA; USACE; and USF&WS, this site has been identified as one with potential wetland hydrology. The US Army Corps of Engineers (USACE) should be contacted (316-322-8247) to have a wetland determination completed.
- H. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- I. For those reserves being platted for drainage purposes, the required covenant that provides for ownership and maintenance of the reserves, shall grant to the appropriate governing body the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.
- J. City Fire Department, requests a site plan to determine location for a turnaround for the private drive.
- K. A CUP Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved CUP and its special conditions for development on this property.
- L. In accordance with the CUP approval, a cross-lot circulation agreement is needed to assure internal vehicular movement between the lots.
- M. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- N. The plat's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- O. The applicant shall install or guarantee the installation of all utilities and facilities that are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- P. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- Q. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone: 316-946-4556) prior to development of

the plat so that the type of delivery, and the tentative mailbox locations can be determined.

- R. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- S. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.
- T. Perimeter closure computations shall be submitted with the final plat tracing.
- U. A compact disc (CD), which will be used by the City and County GIS Departments, detailing the final plat in digital format in AutoCAD. If a disc is not provided, please send via e-mail to Cheryl Holloway (E-Mail address: cholloway@wichita.gov). Please include the name of the plat on the disc.

MOTION: To approve subject to staff recommendation.

JOHNSON moved, **ANDERSON** seconded the motion, and it carried (12-0).

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- 2-3. SUB 2007-38: One-Step Final Plat -- HIDDEN ESTATES 2ND ADDITION**, located west of 159th Street East and north of 39th Street South.

NOTE: This unplatted site is located in the County within three miles of Wichita's boundary. It is located in an area designated as "rural" by the Wichita-Sedgwick County Comprehensive Plan.

STAFF COMMENTS:

- A. Since neither sanitary sewer nor municipal water is available to serve this property, the applicant shall contact County Code Enforcement to find out what tests may be necessary and what standards are to be met for approval of on-site sewerage and water wells. A memorandum shall be obtained specifying approval.
- B. City of Wichita Water Utilities Department requests a petition for future extension of sanitary sewer and City water services.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. County Engineering has approved the applicant's drainage plan. A minimum pad of 1343 needs to be established.
- E. County Surveying has advised that the benchmark needs datum (NGVD 29) since all elevations are changing to NAVD 88.
- F. County Surveying has advised that if the dashed line that follows contour 1341 is the new floodway reserve or drainage easement, then it needs located. Revised dimensions of the new floodway reserve are needed. Standard floodway language needs to be included within the plat's text.
- G. County Surveying advises that the South line of the Floodway Reserve (Film 890, Page 814) needs located. The standard vacation language needs to be added to the plat's text.
- E. Sedgwick County Fire Department advises that all access drives shall be in accordance with Sedgwick County Service Drive Code.
- F. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- G. The plat's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- H. The applicant shall install or guarantee the installation of all utilities and facilities that are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection

shall be as per the direction and approval of the Chief of the Fire Department.)

- I. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- J. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone: 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- K. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- L. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.
- M. Perimeter closure computations shall be submitted with the final plat tracing.
- N. A compact disc (CD), which will be used by the City and County GIS Departments, detailing the final plat in digital format in AutoCAD. If a disc is not provided, please send via e-mail to Cheryl Holloway (E-Mail address: cholloway@wichita.gov). Please include the name of the plat on the disc.

MOTION: To approve subject to staff recommendation.

JOHNSON moved, **ANDERSON** seconded the motion, and it carried (12-0).

- 2-4. SUB 2007-37: One-Step Final Plat -- GREENWICH OFFICE PARK ADDITION**, located on the north side of 13th Street North and west of Greenwich Road.

NOTE: This site is located in the County adjoining Wichita's city limits and annexation is required.

STAFF COMMENTS:

- A. Prior to this plat being scheduled for City Council review, annexation of the property will need to be completed.
- B. The applicant shall guarantee the extension of City water and sanitary sewer to serve the lots being platted.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. City Engineering has approved the applicant's drainage plan. An off-site drainage agreement may be needed.
- E. A note on the plat references access controls as being in accordance with minimum spacing standards of the access management regulations.
- F. A cross-lot access agreement shall be provided that permits cross-lot access through Lot 2 for the benefit of Lot 1.
- G. The applicant has indicated that he is in the process of having a blanket pipeline easement confined. A recorded copy of the release/confinement of the easement shall be submitted.
- H. In accordance with the KS Wetland Mapping Conventions under the Memorandum of Understanding between the USDA-NRCS; USEPA; USACE; and USF&WS, this site has been identified as one with potential wetland hydrology. The US Army Corps of Engineers (USACE) should be contacted (316-322-8247) to have a wetland determination completed.
- I. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- J. The platting text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable

City or County Engineer, and unobstructed to allow for the conveyance of stormwater.

- K. The applicant shall install or guarantee the installation of all utilities and facilities that are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- L. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- M. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone: 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- N. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- O. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.
- P. Perimeter closure computations shall be submitted with the final plat tracing.
- Q. A compact disc (CD), which will be used by the City and County GIS Departments, detailing the final plat in digital format in AutoCAD. If a disc is not provided, please send via e-mail to Cheryl Holloway (E-Mail address: cholloway@wichita.gov). Please include the name of the plat on the disc.

MOTION: To approve subject to staff recommendation.

JOHNSON moved, **ANDERSON** seconded the motion, and it carried (12-0).

- 2-5. **SUB 2007-39: One-Step Final Plat -- RENNICK COMMERCIAL ADDITION,** located on the northwest corner of 45th Street North and Hoover Road.

NOTE: This site is located in the County adjoining Wichita's city limits and annexation is required. A zone change (ZON 2006-48) has been approved from SF-5, Single-Family Residential to LC, Limited Commercial for Lot 1.

STAFF COMMENTS:

- A. Prior to this plat being forwarded to the City Council, the applicant shall apply for annexation to Wichita.
- B. The applicant shall guarantee the extension of future City water and sanitary sewer (main and lateral) to serve the lots being platted. A restrictive covenant is required that prohibits development on the site until City water and sanitary sewer is available.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. City Engineering has approved the drainage plan. An off-site drainage agreement is needed.
- E. The plat's text shall note the dedication of the streets to and for the use of the public.
- F. County Engineering has required pavement on 45th St. North extending to the west line of the plat.
- G. The plat denotes three openings along Hoover and one opening along 45th North. Traffic Engineering has approved the access controls.
- H. The joint access openings shall be established by separate instrument. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.

- I. This property is within a zone identified by the City Engineers' office as likely to have groundwater at some or all times within 10 feet of the ground surface elevation. Building with specially engineered foundations or with the lowest floor opening above groundwater is recommended, and owners seeking building permits on this property will be similarly advised. More detailed information on recorded groundwater elevations in the vicinity of this property is available in the City Engineers' office.
- J. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- K. The platting text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- L. The applicant shall install or guarantee the installation of all utilities and facilities that are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- M. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- N. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone: 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- O. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- P. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.
- Q. Perimeter closure computations shall be submitted with the final plat tracing.
- R. A compact disc (CD), which will be used by the City and County GIS Departments, detailing the final plat in digital format in AutoCAD. If a disc is not provided, please send via e-mail to Cheryl Holloway (E-Mail address: cholloway@wichita.gov). Please include the name of the plat on the disc.

MOTION: To approve subject to staff recommendation.

JOHNSON moved, **ANDERSON** seconded the motion, and it carried (12-0).

❖ **PUBLIC HEARINGS – VACATION ITEMS**

3-1. VAC 2007-07: Request to vacate a portion of complete access control.

<u>OWNERS:</u>	Diem N. Vu & Quang M. Ta
<u>AGENT:</u>	Commerce Construction Services c/o Dave Richards
<u>LEGAL DESCRIPTION:</u>	Beginning 86-feet west of the center line of Bebe Street, along the south lot line of Lot 1, Block A, Muller Addition, vacate 24-feet of the platted complete access control of the said lot's Maple Street frontage, all in Wichita, Sedgwick County, Kansas
<u>LOCATION:</u>	Generally located ¼-mile east of 1-235, on the northwest corner of Bebe & Maple Streets (WCC District #IV)
<u>REASON FOR REQUEST:</u>	Existing utility not recognized during design or during construction on the site.

CURRENT ZONING:

The site is zoned "NR" Neighborhood Retail. Adjacent eastern and southern properties are zoned "LC" Limited Commercial. Abutting western and abutting and adjacent northern properties are zoned "SF-5" Single-family Residential.

The applicant has applied for the vacation of the complete access control along the site's Maple Street frontage, to allow a 24-foot drive onto Maple Street. The applicant proposes to use the remaining drive onto Maple that was used by a residence, which was removed from the site sometime after the rezoning/replatting of the site. On October 17, 2000 the WCC approved ZON2000-38, the rezoning of the site from "SF-6" Single-family Residential to "NR" Neighborhood Retail, contingent on replatting within 1-year and conditions. One of those conditions was that the site have two points of access onto Bebe Street and no access onto Maple, this condition was recorded in the replat (SUB2001-125, the replat of the east halves of Lots 15 & 16, Westbreeze 2nd Addition) of the site: Lot 1, Block A, Muller Addition. The Muller Addition was recorded with the Register of Deeds May 31, 2002.

The applicant has provided a letter stating that a Westar electrical pole and its steel cable brace, located on the southeast corner of the site, was overlooked during the design for the redevelopment of the site. The letter also states that the omission of the location of the Westar equipment was not noticed until after the foundation and slab for a new building were poured. The result of this omission on the site plan coupled with design of the site placed the Westar equipment in the middle of a permitted drive onto Bebe Street. The placement and size of the building also leaves no room to connect the site's south parking with its north parking (which has its permitted drive onto Bebe), thus preventing any access onto the site's south parking. E-mail from Westar confirms the letter's dialogue with Westar and Westar's recommendation and reasons to leave the pole where it is.

Based upon information available prior to the public hearings and reserving the right to make recommendations based on subsequent comments from Public Works, the Traffic Engineer, franchised utility representatives and other interested parties, Planning Staff recommends the vacation request with conditions.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
- (1) That due and legal notice has been given by publication as required by law, by publication in the Wichita Eagle of notice of this vacation proceeding one time March 29, 2007 which was at least 20 days prior to this public hearing.
 - (2) That no private rights will be injured or endangered by the vacation of the above-described portion of platted complete access control and the public will suffer no loss or inconvenience thereby.
 - (3) In justice to the petitioner, the prayer of the petition ought to be granted.
- B. Therefore, the vacation of the platted complete access control as described in the petition should be approved with conditions;
- (1) Dedicate by separate instrument to be recorded with the Register of Deeds with the Vacation Order, a shared access, right-in – right-out, drive onto Maple Street, to be located on the west end of Lot 1, Block A, Muller Addition where it abuts Lot 15, Westbreeze 2nd Addition. Per the recommendation of the Traffic Engineer an approved design of this drive shall incorporate the necessary on site features to ensure right-in right traffic flow off and on the site. Lot 15, Westbreeze 2nd Addition will be allowed access onto this drive upon any subsequent rezoning of it from "SF-5" Single-family Residential to any non residential or less restrictive zoning. Also, provide new legal to vacate only what the Traffic Engineer approves of the west most portion of Lot 1, Block A, Muller Addition.
 - (2) Provide a Restrictive Covenant to be recorded with the Register of Deeds with the Vacation Order providing cross lot access from the south parking lots of Lot 1, Block A, Muller Addition to Lots 15 & 16, Westbreeze 2nd Addition upon any subsequent rezoning of the Westbreeze lots from "SF-5" Single-family Residential to any less restrictive zoning.
 - (3) Dedicate by separate instrument complete access control, except for one drive onto Bebe Street as approved by the Traffic Engineer.
 - (4) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicants' expense.
 - (5) All improvements shall be according to City Standards and at the applicant's expense, including any new driveways from private property onto public ROW and closing the existing drive onto Maple Street. Provide Public Works with necessary guarantees to ensure that those improvements will be made.

- (6) Per MAPC Policy Statement #7, all conditions to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation request are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

The Subdivision Committee recommends approval subject to the following conditions:

- (1) Dedicate by separate instrument to be recorded with the Register of Deeds with the Vacation Order, a shared access, right-in – right-out, drive onto Maple Street, to be located on the west end of Lot 1, Block A, Muller Addition where it abuts Lot 15, Westbreeze 2nd Addition. Per the recommendation of the Traffic Engineer an approved design of this drive shall incorporate the necessary on site features to ensure right-in right traffic flow off and on the site. Lot 15, Westbreeze 2nd Addition will be allowed access onto this drive upon any subsequent rezoning of it from “SF-5” Single-family Residential to any non residential or less restrictive zoning. Also, provide new legal to vacate only what the Traffic Engineer approves of the west most portion of Lot 1, Block A, Muller Addition.
- (2) Provide a Restrictive Covenant to be recorded with the Register of Deeds with the Vacation Order providing cross lot access from the south parking lots of Lot 1, Block A, Muller Addition to Lots 15 & 16, Westbreeze 2nd Addition upon any subsequent rezoning of the Westbreeze lots from “SF-5” Single-family Residential to any less restrictive zoning.
- (3) Dedicate by separate instrument complete access control, except for one drive onto Bebe Street as approved by the Traffic Engineer.
- (4) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicants' expense.
- (5) All improvements shall be according to City Standards and at the applicant's expense, including any new driveways from private property onto public ROW and closing the existing drive onto Maple Street. Provide Public Works with necessary guarantees to ensure that those improvements will be made.
- (6) Per MAPC Policy Statement #7, all conditions to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation request are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with

MOTION: To approve subject to staff recommendation.

ALDRICH moved, **MCKAY** seconded the motion, and it carried (12-0).

3-2. VAC 2007-10: Request to vacate a portion of a platted reserve and its restriction of uses

<u>OWNER/AGENT:</u>	Andrew & Jane Blandford MKEC Engineering Consultants, c/o Brian Lindebak
<u>LEGAL DESCRIPTION:</u>	See the attached exhibit and legal of the proposed vacated portion of Reserve T and apply that to the plat's list of permitted uses to include “SF5” Single-family uses, and attach to Lot 8, Block 8, all in the Wilson Farms Addition, Wichita, Sedgwick County, Kansas.
<u>LOCATION:</u>	Generally located south of 21 st Street North, west of Webb Road, and southwest of the Wilson Estates Parkway and Paddock Green Street intersection. (WCC #II)
<u>REASON FOR REQUEST:</u>	Additional room to build
<u>CURRENT ZONING:</u>	Subject property and all abutting and adjacent properties are zoned “SF-5” Single-family Residential and are in CUP DP-201.

The applicants are requesting consideration for the vacation of the of the described portions of the platted Reserve T that abuts the west back yard lot line of Lot 8, Block 8, Wilson Farms Addition and the restriction of uses in the plat's text for the platted reserve to allow “SF-5” uses. The uses that Reserve T has been set aside for include open space, landscaping, lighting, irrigation, and construction and maintenance of public drainage and lakes. The Reserve shall be owned and maintained by the homeowner's

association. The homeowner's association has already sold the described portions of the Reserve to the applicants. There are no utilities manholes, sewer or water lines in the reserve. The Wilson Farm Addition was recorded with the Register of Deeds July 15, 1997.

Based upon information available prior to the public hearings and reserving the right to make recommendations based on subsequent comments from City Public Works, Storm Water, franchised utility representatives, and other interested parties, Planning Staff recommends approval to vacate the portion of the platted Reserve T and the uses of that portion of the platted Reserve T as described in the approved legal description to allow that portion of the platted reserve to revert into private property and to allow "SF-5" uses in that portion of the vacated reserve.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, by publication in the Wichita Eagle of notice of this vacation proceeding one time April 12, 2007 which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by the vacation of the above-described portion of the platted reserve and the proposed uses allowed in vacated portion of the platted reserve and the public will suffer no loss or inconvenience thereby.
 3. In justice to the petitioner, the prayer of the petition ought to be granted.
- B. Therefore, the vacation of a portion of the platted reserve and the uses allowed in the vacated portion of the platted reserve described in the petition should be approved subject to the following conditions:
- (1) Vacate the approved portion of the platted Reserve T that abuts and runs parallel to the west back yard lot line of Lot 8, Block 8, the Wilson Farms Addition, subject to comments from Storm Water in regards to possible location of the Reserve in the FEMA floodway and retaining a portion for equipment or construction and maintenance of public drainage and lakes. Provide Staff with a copy of the approved legal of the vacated reserve, via e-mail on a Word document.
 - (2) Vacate the use restrictions as listed in the approved vacated portion of the platted Reserve E to allow only "SF-5" zoning district uses and, if needed, utilities confined to easements.
 - (3) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicants' expense.
 - (4) All improvements shall be according to City Standards and at the applicants' expense.
 - (5) Per MAPC Policy Statement #7, all conditions to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation request are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

- (1) Vacate the approved portion of the platted Reserve T that abuts and runs parallel to the west back yard lot line of Lot 8, Block 8, the Wilson Farms Addition, subject to comments from Storm Water in regards to possible location of the Reserve in the FEMA floodway and retaining a portion for equipment or construction and maintenance of public drainage and lakes. Provide Staff with a copy of the approved legal of the vacated reserve, via e-mail on a Word document.
- (2) Vacate the use restrictions as listed in the approved vacated portion of the platted Reserve E to allow only "SF-5" zoning district uses and, if needed, utilities confined to easements.
- (3) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicants' expense.
- (4) All improvements shall be according to City Standards and at the applicants' expense.
- (5) Per MAPC Policy Statement #7, all conditions to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation request are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order

and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds

MOTION: To approve subject to staff recommendation.

ALDRICH moved, **MCKAY** seconded the motion, and it carried (12-0).

3-3. VAC 2007-11: Request to vacate a portion of a platted drainage and utility easement and a portion of a platted reserve

OWNERS/APPLICANTS: Auburn Pointe LLC Dillon Real Estate Co. Inc., c/o Clay Brasher

AGENT: MKEC Engineering Consultants, c/o Brian Lindebak

LEGAL DESCRIPTION: See the attached exhibit and legal of the proposed vacated platted utility and drainage easement, all in Lot 1, Block 1, Auburn Hills Commercial 4th Addition and the proposed vacated portions of Reserve A, Auburn Hills Commercial 4th Addition and Auburn Hills Commercial Addition, and apply that to the platlor's list of permitted uses to include private parking, lighting, public and private utilities, and irrigation, Wichita, Sedgwick County, Kansas.

LOCATION: Generally located on the south side of maple Street and east of 135th Street West (WCC #V)

REASON FOR REQUEST: Integrate parking and development between two plats/developments.

CURRENT ZONING: Subject properties are zoned "LC" Limited Commercial (CUP DP 219) and "NR" Neighborhood Retail (PO #130). Abutting and adjacent properties are zoned "SF-5" Single-family Residential (east), "GO" General Office and "LC" (south), "LC" (west) and "LC" and "SF-5" (north).

The applicants are requesting consideration for the vacation of the described portions of platted Reserves A and the platted drainage and utility easement. The uses that Reserve A, Auburn Hills Commercial Addition has been set aside for include landscape buffer, landscaping, berms, open spaces, a private screening wall and utilities confined to easements. The uses that Reserve A, Auburn Hills Commercial 4th Addition has been set aside for include landscaping, open spaces, a wall on perimeter as shown, ponds, water features, monuments, irrigation and utilities in designated areas. The applicants propose to change the allowed uses in the Reserves to private parking, lighting, public and private utilities, and irrigation. This change in uses reflects the relocation of the drainage on the Auburn Hills Commercial 4th Addition and its rezoning (ZON2003-59) from "SF-5" to "NR", which eliminated the need the Auburn Hills Commercial Addition to provide for a screening wall, a landscape buffer, landscaping, berms, and open spaces between the two subdivisions. There appears to be manholes and sewer line in the Reserves and easement, but no water lines. The applicants have provided a copy of a recorded drainage and utility easement to replace those portions of the vacated easement. The Auburn Hills Commercial Addition was recorded with the Register of Deeds July 9, 1997. The Auburn Hills Commercial 4th Addition was recorded with the Register of Deeds November 23, 2005.

Based upon information available prior to the public hearings and reserving the right to make recommendations based on subsequent comments from City Public Works, Storm Water, franchised utility representatives, and other interested parties, Planning Staff recommends approval to vacate the described/approved portions of the platted drainage and utility easement, the platted reserves and the uses of that portion of the platted reserves as described in the approved legal description.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, by publication in the Wichita Eagle of notice of this vacation proceeding one time April 12, 2007 which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by the vacation of the above-described portions of the platted drainage and utility easement, the platted reserves and the uses allowed in vacated portion of the platted reserves and the public will suffer no loss or inconvenience thereby.
 3. In justice to the petitioner, the prayer of the petition ought to be granted.

- B. Therefore, the vacation of a approved portions of the platted reserves and drainage and utility easement and the uses allowed in the vacated portion of the platted reserve described in the petition should be approved subject to the following conditions:
1. Vacate the approved portions of the Reserves and drainage and utility easement. Retain the wall easement located along the south lot line of both the Auburn Hills Commercial 4th Addition and the Auburn Hills Commercial Addition. If needed retain the utility easement located along the south lot line of the Auburn Hills Commercial 4th Addition. Provide Staff with a copy of the approved legal of the vacated reserve, via e-mail on a Word document.
 2. Vacate the use restrictions as listed in the plat's text in the approved vacated portions of the platted Reserves. Uses allowed will be private parking, lighting, public and private utilities and irrigation.
 3. Original signatures of both property owners are needed on the application and petition to vacate.
 4. A copy of the recorded Vacation Order will be inserted into both the CUP and PO files of the subject properties.
 5. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant and at the applicants' expense.
 6. All improvements shall be according to City Standards and at the applicants' expense.
 7. Per MAPC Policy Statement #7, all conditions to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation request are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

1. Vacate the approved portions of the Reserves and drainage and utility easement. Retain the wall easement located along the south lot line of both the Auburn Hills Commercial 4th Addition and the Auburn Hills Commercial Addition. If needed retain the utility easement located along the south lot line of the Auburn Hills Commercial 4th Addition. Provide Staff with a copy of the approved legal of the vacated reserve, via e-mail on a Word document.
2. Vacate the use restrictions as listed in the plat's text in the approved vacated portions of the platted Reserves. Uses allowed will be private parking, lighting, public and private utilities and irrigation.
3. Original signatures of both property owners are needed on the application and petition to vacate.
4. A copy of the recorded Vacation Order will be inserted into both the CUP and PO files of the subject properties.
5. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant and at the applicants' expense.
6. All improvements shall be according to City Standards and at the applicants' expense.
7. Per MAPC Policy Statement #7, all conditions to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation request are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds

MOTION: To approve subject to staff recommendation.

ALDRICH moved, **MCKAY** seconded the motion, and it carried (12-0).

3-4. VAC 2007-12: Request to vacate a platted alley (County)

APPLICANT: Steve Loeb sack

LEGAL DESCRIPTION: The platted 15-foot wide alley ROW located between Lots 1 – 14, Block 1, the City of Greenwich Plat, Sedgwick County, Kansas.

LOCATION: Generally located northeast of Greenwich Road and 53rd Street North, and northeast of Central and Maple Streets (Sedgwick County #I).

REASON FOR REQUEST: Install septic system.

CURRENT ZONING: The site is a platted, undeveloped alley, all abutting properties are zoned "RR" Rural Residential or are public street ROW.

The applicant is requesting vacation of the full length of the platted alley as described. The applicant plans to install a septic system that will encroach into the alley. There are no public utilities the alley. Comments from franchised utilities are needed to determine if they have utilities in the alley. The City of Greenwich Plat was recorded with the Register of Deeds August 3, 1883.

Based upon information available prior to the public hearings and reserving the right to make recommendations based on subsequent comments from County Public Works, franchised utility representatives and other interested parties, Planning Staff recommends approval to vacate the platted alley ROW, as described with conditions.

A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:

1. That due and legal notice has been given by publication as required by law, in the Derby Reporter, of notice of this vacation proceeding one time April 12, 2007 which was at least 20 days prior to this public hearing.
2. That no private rights will be injured or endangered by the vacation of the above-described platted alley ROW and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner, the prayer of the petition ought to be granted.

B. Therefore, the vacation of the platted alley ROW described in the petition should be approved with conditions:

1. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicants.
2. All improvements shall be according to County Standards and at the expense of the applicant.
3. Per MAPC Policy Statement #7, all conditions to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation request are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

The Subdivision Committee recommends approval subject to the following conditions:

1. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicants.
2. All improvements shall be according to County Standards and at the expense of the applicant. Per MAPC Policy Statement #7, all conditions to be completed within one year of approval by the MAPC or the vacation request will be considered null and void.
3. All vacation request are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds

MOTION: To approve subject to staff recommendation.

ALDRICH moved, **MCKAY** seconded the motion, and it carried (12-0).

MCKAY declared a conflict of interest on the next item stating that he owned land in the area.

MCKAY out at 2:00 pm

❖ **PUBLIC HEARINGS**

4. **Case No.: DR2005-21** - Request McConnell Air Force Base (AFB) Joint Land Use Study – Rezoning of properties within approximately one-half mile of the AFB to the AT/FP-O, Anti-Terrorism/Force Protection Overlay District. Properties are generally located in an area bounded by Pawnee on the north, Webb on the east, 60th Street on the south, and Oliver on the west. (Deferred from March 15, 2007).

SCOTT KNEBEL Planning staff presented staff report.

On March 15, 2007, the MAPC held a public hearing to consider zoning properties around McConnell Air Force Base (AFB) to the AT/FP-O, Anti-Terrorism/Force Protection Overlay District. The purpose of the AT/FP-O District is to limit the height of new buildings in proximity to the AFB so that there are fewer opportunities for persons to be concealed within a multiple-story building that has line of sight to the AFB, thus allowing an opportunity for espionage or attack. The AT/FP-O District was proposed in the *McConnell Air Force Base Joint Land Use Study, May 2005*. As result, the AFB commissioned a security audit by the U.S. Department of Homeland Security and the Kansas Division of Emergency Management. The security audit recommended that new buildings within one-half mile of the AFB be limited to two stories in height.

At the hearing on March 15, 2007, numerous affected property owners spoke in opposition to the proposed AT/FP-O District, primarily citing concerns that the proposed 25-foot height limitation would limit their ability to develop their property in the manner in which they intended. The MAPC voted to defer action on the proposed AT/FP-O District and instructed staff to meet with the affected property owners to determine if a reduced boundary for the AT/FP-O District could be proposed.

On March 30, 2007, two meetings were held with affected property owners. Planning staff and staff from the AFB attended both meetings, and attempted to work with affected property owners on crafting a revised AT/FP-O District boundary that reduced the number of affected property owners but still met the intent of the security audit.

At the first meeting, staff from the MAPD and AFB met with representatives from Cessna, Boeing, and Spirit. The discussion at this meeting centered on the fact that these three companies operate secured manufactured facilities that require photo identification for admittance to buildings and have 24/7 security forces with video surveillance. Additionally, it was discussed that the perimeter fence of the AFB is actually on Boeing property at one location. Finally, the manufacturing companies have security agreements with the AFB, whereby both work cooperatively and provide back-up assistance when necessary. For these reasons, it was agreed that excluding the “Secured Manufacturing Facilities” as shown on the attached map from the AT/FP-O District is consistent with the intent of the recommendations of the security audit.

At the second meeting, staff from the MAPD and AFB met with 16 affected property owners. The discussion at this meeting focused on the opposition of many property owners to the concept of a AT/FP-O District and their unwillingness to agree that a reduced boundary was acceptable. Many property owners also indicated that any regulation of their property should be compensated monetarily.

Several property owners agreed that a reduced boundary could be acceptable and offered suggestions. One suggestion is shown on an attached map entitled “Property Owner Proposal.” Another suggestion was to exclude any property from the AT/FP-O District if less than half the property was within one-half mile of the AFB. A third suggestion was to have the AT/FP-O District apply to properties within one-quarter mile of the AFB. A final suggestion was to include property within one-half mile of AFB base property, but exclude that portion of the AFB property that is south of 47th Street South and outside the AFB secured perimeter. Staff from the MAPD and AFB does not propose these suggestions because they are less consistent with the intent of the security audit than the revised AT/FP-O District (see attached map) that includes property within one-half mile of the AFB except for the “Secured Manufacturing Facilities” and properties not originally proposed to be included in the AT/FP-O District (note: the boundary cannot be expanded without new notification of property owners and a new hearing).

Planning staff mailed the revised boundary map to the property owners that attended both meetings. Comments received on the revised boundary are included in the MAPC agenda packet for the May 3, 2007 hearing.

On March 15, 2007, the Derby Planning Commission reconsidered the proposed AT/FP-O, Anti-Terrorism/Force Protection Overlay District and voted (6-1) to recommend approval of the proposal. A letter dated March 19, 2007, summarizes the Derby Planning Commission’s recommendation.

Planning staff recommends that the MAPC recommend approval of the AT/FP-O, Anti-Terrorism/Force Protection Overlay District for the boundary shown on the map entitled “McConnell AFB Area Proposed Rezoning Revised AT/FP-O, Anti-Terrorism/Force Protection Overlay District Boundary.” The recommendation for approval should be based on the findings contained in the memo dated February 22, 2007, which is summarized below.

In November 2006, the Sedgwick County Commission and Wichita City Council directed staff of the Wichita-Sedgwick County Metropolitan Area Planning Department to proceed with a number of zoning code text and zoning map amendments in order to

implement the recommendations of the Implementation Coordination Committee for the *McConnell Air Force Base Joint Land Use Study, May 2005* (JLUS).

In February 2007, the Sedgwick County Commission and Wichita City Council amended the Wichita-Sedgwick County Unified Zoning Code to create the AFB, Air Force Base District and the AT/FP-O, Anti-Terrorism/Force Protection Overlay District. The following is a description of these two new districts.

AFB, Air Force Base District: This new district is proposed to be applied to all property owned by McConnell Air Force Base. This zoning district is the most intense zoning district in the zoning code hierarchy, meaning that properties in the other zoning districts do not need to provide screening or buffers from McConnell Air Force Base. Additionally, the zoning district imposes no use restrictions or development standards, which formalizes past practice.

AT/FP-O, Anti-Terrorism/Force Protection Overlay District: This new overlay district is proposed to be applied to properties within approximately one-half mile of McConnell Air Force Base. The overlay district is intended to reduce future potential threats to base personnel and property from terrorists. The overlay district limits new structures within the overlay district to a height of 25 feet. Existing structures are allowed to remain and can be reconstructed at the existing height. Also, new structures may exceed 25 feet in height if Air Force Base property would not be visible from the new structure.

A notice of the March 15, 2007, public hearing before the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC) on the proposed zoning map amendments was published in *The Derby Reporter* and *The Wichita Eagle* on February 22, 2007. A notice of the March 15, 2007 hearing before the MAPC and the March 1, 2007, hearing before the Derby Planning Commission was mailed to the owner of each property proposed for rezoning.

Recommended Action: Based on information available prior to the public hearing, staff recommends that the proposed zoning map amendments be **APPROVED**. This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The zoning of the neighborhood is predominately a mixture of industrial and residential classifications. However, the uses and character of the neighborhood are dominated by industrial uses, with several of the region's major employers (McConnell Air Force Base, Spirit, Boeing, Cessna) being located in the neighborhood. The AFB, Air Force Base District is an intensive industrial zoning classification that matches the uses and character of the AFB and is a more appropriate zoning classification than the existing residential classifications, which technically do not permit many existing uses. The AT/FP-O, Anti-Terrorism/Force Protection Overlay District is an overlay that places height restrictions on new structures near the AFB in order to help preserve the future viability of the AFB as a major community employer and contributor to national defense.
2. **The suitability of the subject property for the uses to which it has been restricted:** The AFB property is unsuitable for the predominately residential and agricultural uses to which it is restricted by its current zoning classifications. Most of the current uses of the AFB property do not conform to existing zoning regulations. The AFB, Air Force Base District is specifically tailored for AFB property and, therefore, is the most suitable zoning classification for the AFB. The importance of the AFB as a major community employer and contributor to national defense make the height restrictions of the AT/FP-O, Anti-Terrorism/Force Protection Overlay District for properties surrounding the AFB a suitable restriction of the use of those properties.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Nearby properties should not be detrimentally affected by the proposed zoning changes. The use of the AFB property will not change based on changing the property's zoning classification. Restricting the height of structures on properties surrounding the AFB as proposed by the AT/FP-O, Anti-Terrorism/Force Protection Overlay District will have no detrimental affect on the properties surrounding those to be restricted by the overlay district.
4. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon property owners:** The Department of Defense identified the threat of terrorist attack on the AFB by small arms or shoulder-mounted missile launchers from surrounding properties as significant and recommended limiting the height of new structures on properties surrounding the base. Therefore, the proposed AT/FP-O, Anti-Terrorism/Force Protection Overlay District is a significant contribution to the public health, safety and welfare while not imposing undue restrictions on private property rights.
5. **Conformance of the requested change to the adopted or recognized Comprehensive Plan:** The proposed zoning map amendments are consistent with the recommendations of the *McConnell Air Force Base Joint Land Use Study, May 2005* (JLUS). The JLUS recommends revising current regulatory requirements to minimize potential safety conflicts, as recommended by the Federal Land Use Compatibility Guidelines. The proposed zoning map amendments further this objective.

KNEBEL briefly reviewed what had transpired since the March 15, 2007 MAPC meeting when the MAPC voted to defer action on the proposed AT/FP-O District in order for staff to meet with the affected property owners to determine if a reduced boundary for the AT/FP-O could be proposed. He said there was one modification of the proposed staff recommendation, which was exclusion of the Kansas Aviation Museum. He said since there is no security fence between the Museum and McConnell Air

Force Base, staff is recommending that this property be excluded from the overlay. He mentioned that Air Force Base personnel frequently patrolled the area. He said because the Derby Planning Commission had recommended approval of the original proposal, staff had notified them of the revised proposal and had received confirmation that Derby was okay with the new and original proposal as well.

Responding to several questions from **MARNELL** concerning the south end of the revised proposal near 55th Street South, **KNEBEL** referred to the "Property Owner Proposal" and "Revised AT/FP-O" proposed by staff, which was overlaid on the original staff proposal. He said the runway lighting was outside the secured base perimeter.

MARNELL commented that the area he was questioning on the south end of the overlay does not have any facilities and; therefore, probably doesn't add any significant value to the overlay. He suggested that in the spirit of balancing all issues, perhaps that area could be revisited.

KNEBEL said he agreed that this area was less significant than other areas in the overlay.

BISHOP asked about the process and asked if there were any other public meetings where this overlay was presented to the public for input, prior to the hearing before the Planning Commission.

KNEBEL said there were no other public meetings, other than the Derby Planning Commission.

BISHOP clarified that the recommendations of the McConnell Joint Land Use Study were presented to the City Council and County Commission.

KNEBEL said that was correct, the report was presented in writing.

HENTZEN asked how many residential properties were within the recommended overlay?

KNEBEL said there were about 1,700 parcels within the notification area; however, because some of them were agricultural, there were fewer 1,700 residential properties.

HENTZEN asked if in the future this overlay did not fit into the military interests of McConnell, what action would need to be taken to remove it?

KNEBEL said the MAPC would have to take official action to remove the overlay, (overturn the protective overlay) just as they did to establish it.

CHAIRMAN DOWNING asked if the Air Force representatives would like to make a statement.

LIEUTENANT COLONEL MARK MCLAIN, US AIR FORCE, MCCONNELL AIR FORCE BASE, introduced himself and his colleagues **MIKE MCKAY** and **LIEUTENANT COLONEL JESSOP**.

LTC MCLAIN stated that he did not believe the south end of the runways was a major sticking point for the base at this time; however, he said he could not speak about what the Department of Defense's future mission for the base might be and how that could be affected. He said presently, McConnell does not need longer runways, but if the overlay were reduced in that area, it might limit the future viability of the base if longer runways were ever needed. He said although the possibility was remote, he felt the Commission needed to have that information prior to making their final decision on the overlay.

HILLMAN stated that from a security standpoint, he was surprised that the base was willing to leave the northwest corner open for the Aviation Museum. He said as a member of the Museum, he drives in there at a variety of hours and has access to the base because of the lack of a fence.

LTC MCLAIN mentioned that there was also no fence; however, Air Force security personnel patrol both tracts of land regularly.

DUNLAP asked if the Air Force was comfortable with the revised overlay?

LTC MCLAIN responded "yes" that they felt the overlay accommodated the base's current needs and the future viability of the base with the least impact on the surrounding citizenry.

TRENA HODGES, 7217 S. HILLSIDE, WICHITA circulated a "hand out", which was page 20 of the "*McConnell AFB Joint Land Use Study – Final Report*" dated May 13, 2005. The following sentence was highlighted "It is assumed that the district could resemble a 'buffer area' of a certain distance extending away from the Base's fence line". She requested that the buffer area start at the 47th Street perimeter instead of further impacting the area to the south. She commented that if the Air Force extends the runways in the future, they will be shutting off a major thoroughfare (47th Street), and she did not think that was going to happen.

LARRY BAKULA, 2410 S. CYPRESS, expressed several concerns with the creation of this zone including house prices, taxes, and the 25-foot height restriction. He also mentioned that officers are not required to live on base. He concluded by saying that you could see much more of the base from Rock Road and 47th Street across the golf course than from the east end of the overlay.

FAYE WEEKS, 2555 DALTON, said she just found out about this proposal at the last MAPC meeting but understands that this has been in the works and that everything has been planned since 2005. She said she is concerned that she is going to be a part of the overlay but there was really nothing she could do about it. She said she doesn't know what that means for the residents in the area -- added security or more military presence? She understood keeping McConnell viable was important and that she didn't have a big problem with the Air Force Base being more secure, especially since 9/11. She said she was concerned about possible loss of income on her property when she sells it. She mentioned property disclosure and how this "anti-terrorist designation" might affect sale value. She said she did not have a clear picture of what all this means to the surrounding property owners. She concluded by asking that in the future, the public be involved sooner, not after the proposal was already a "done deal".

KURT HODGES 7217 S. HILLSIDE said deletion of their property from the overlay would more evenly balance the overlay between east and west. He said Air Force personnel patrol the fences all the time, but never patrol the area south of 47th Street. He requested squaring off the boundary as shown on the "Property Owner Proposal".

HILLMAN asked if their current home was within the overlay?

HODGES said a portion of their property was in the overlay.

HILLMAN asked if there were any buildings, a home or a barn in the overlay? He said they could build a barn in the portion of the property outside of the overlay and said he saw little if any interference with their property with the designation.

HODGES said the designation would take in about 20 acres of his property and would limit his ability to build in that area.

DAVID FIROOZ, 116 N. CHELMSFORD CT. said he owned a business at the southeast corner of Oliver and Pawnee said he was also concerned about the overlay designation. He said that this was the first time he had seen the "Property Owner Proposal" and that he was opposed to it and instead preferred the staff recommendation.

KNEBEL commented that the overlay, in theory and concept, has been discussed in public for several years at various times and places. He said as soon as any detail of what was being proposed and how it would impact the surrounding property owners was determined, the public was notified. He commented that a home that already exists presently over the 25-foot height could be reconstructed at its present height under the guidelines. He said the impact of the overlay on property values and people's ability to sell their property was remote, in his opinion.

DOWNING asked about an increase or decrease in property taxes.

KNEBEL said he didn't think a height restriction would increase taxes, in his opinion. Responding to a question from **BISHOP** concerning other overlay districts in the area, he mentioned the airport overlay district north and south of the runways established in 1991 and the three sub-districts that established additional restrictions on uses other than what was being discussed today. He clarified that certain grandfather clauses were also established concerning equal or less intensity uses.

BISHOP commented on the area of 47th Street South along Oliver and the fact that there were tall buildings along there for office uses.

KNEBEL explained that the Coordinating Committee discussed several boundary options to recommend to the governing bodies such as using K-15 as the west side of the overlay, but it was decided to follow Oliver instead. He said the reason was that area was less significant in terms of the safety of base operations.

BISHOP said it seems that there is an inconsistency with that reasoning compared to the area south of 47th Street South.

KNEBEL admitted he did not disagree with her.

MOTION: To approve the revised proposal subject to staff recommendation.

ALDRICH moved, **ANDERSON** seconded, and it carried (9-4).
BISHOP, DUNLAP, GISICK, and SHERMAN – No.

BISHOP said she didn't intend to support the motion because she thought the overlay was inconsistent and she did not think staff's explanation was satisfactory. She said she also wanted it noted for the record that she understood the reasons and need for the overlay district.

MARNELL asked if they could add some relief without damaging objectives of the overlay by moving the south line of the overlay north to 55th Street South?

SUBSTITUTE MOTION: To move the south border of the overlay up to 55th Street South, leaving the rest of the overlay as recommended by staff.

MARNELL moved, **HILLMAN** seconded the motion, and it failed (11-2). **DOWNING, ALDRICH, ANDERSON, BISHOP, DUNLAP, HENTZEN, JOHNSON, MCKAY, MITCHELL, SHERMAN, VAN FLEET** – No

GISICK commented that none of the landowners in that area had asked for redress on the overlay and that he couldn't support the motion.

JOHNSON commented that no matter where the overlay boundary was, it was not going to be in the right place for somebody; therefore, he supported the original motion. He said if that motion did not pass, he would move to approve the original overlay proposed by staff at the March MAPC Meeting (black line on map).

MCKAY suggested that Item 5 be taken up first on the agenda.

5. **Case No.: CON2007-12** – Youth Horizons, c/o Earnest Alexander (property owner/applicant), Baughman Company P.A., (agent) Request Amendment to conditional use to permit a 32-foot square foot sign and to permit specific accessory uses in an accessory structure.

The North 1/2 of the SE 1/4 of Section 12, Township 25 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, except that part taken for road. Generally located North of 109th Street North and west of Woodlawn.

BACKGROUND: The application area is 20 acres zoned RR Rural Residential located west of 63rd Street East (Woodlawn), approximately 2,300 feet north of 109th Street North. The applicant is seeking to amend the existing Conditional Use permit (CON2005-00051) for this property to define the uses allowed for the accessory building and to allow the placement of a 32 square foot ground sign at the property entrance.

According to Section 6-346(g) of the Sedgwick County Sign Code *"This Article shall apply to all uses zoned by or within a Community Unit Plan, Planned Unit Development or Conditional Uses; provided that alternative or additional requirements concerning signs may be established on specific sites upon the approval of the Community Unit Plan, Planned Unit Development or Conditional Use by the Governing Body."* The final approval of the Conditional Use for group residence, limited, in RR zoning in the planning commission case was after the adoption of the 2004 Sign Code. The Sign Code gives only the Metropolitan Area Planning Commission (MAPC) and the County Commission (BoCC) the authority to determine appropriate sign standards within Conditional Uses.

The applicant is proposing a 32 square foot sign made of formed cast concrete with a letter height of 10" with the square footage for the letters being 12 square feet. The proposed sign is to be lit indirectly with the overall height of the sign structure at eight feet and the sign itself being seven feet. The County Sign Code only allows for business signs to be eight square feet, a maximum height of six feet, lighted indirectly with white incandescent lights in a RR zone (Section 6-346.) The code does allow for business signs for churches, schools, mining or quarrying uses to be 32 square feet, but this particular use does not fall under those uses listed. This proposed sign exceeds all the standards set forth in the County Sign Code for a business sign in a RR zone.

The other amendment to the Conditional Use is for the assigning of uses for the accessory structure currently on site. Once the primary structure is completed and operational, the applicant proposes to utilize the accessory structure for ancillary storage, common meeting space and as a cafeteria/dining hall.

The site plan submitted with the application depicts the primary group residence structure, an accessory structure, a lagoon and the proposed location of the new sign. Access is to 63rd Street East (Woodlawn), which is a sand and gravel road.

Surrounding properties are zoned RR Rural Residential and are mainly farmsteads and large agricultural or residential tracts.

CASE HISTORY: Conditional Use for a group residence, limited, approved on January 25, 2006. Platting was not required since there is only one residence on the site.

ADJACENT ZONING AND LAND USE:

NORTH:	RR Rural Residential; farmstead
SOUTH:	RR Rural Residential; agricultural
EAST:	RR Rural Residential; agricultural
WEST:	RR Rural Residential; agricultural

PUBLIC SERVICES: On-site services will be used, as publicly supplied sewer and water are not available.

CONFORMANCE TO PLANS/POLICIES: The Comprehensive Plan's "2030 Urban Growth Areas Map" depicts this site as appropriate for "rural" uses. Rural areas are primarily intended for agricultural uses, resource based uses and other non-agricultural uses having no impact greater than typical agricultural uses, and do not require publicly supplied services. This site is outside of any projected urban growth boundaries.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to the following conditions:

Existing Conditions:

1. In addition to uses permitted by right in the RR Rural Residential district, the application area shall be approved for a "group residence, limited" use for up to eight children plus seven staff members. At least one supervisor employed by the agency operating the residence must be present at the home at all times when children are present at the home.
2. The site shall be developed in substantial conformance with the approved site plan, and in conformance with applicable Wichita-Sedgwick County Unified Zoning Code requirements dealing with "group residence, limited" uses, except the number of resident children shall be limited to eight.
3. The applicant shall obtain all applicable permits required to legally operate the requested use prior to commencing "group residence" activities.
4. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

Additional Conditions for the Amended Conditional Use Permit:

1. The accessory building is to be restricted for the following uses: ancillary storage, common meeting space and cafeteria/dining hall.
2. The accessory building shall meet all applicable building codes prior to occupancy.
3. The accessory building shall conform to the Unified Zoning Code definition of "Accessory Structure and Accessory Use", and shall be used for activities directly associated with the principal use as a Group Residence only.
4. Sign is to be constructed as shown on the approved sign plan.
5. Development and maintenance of the site shall be in conformance with the approved site plan.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Surrounding properties are all zoned RR Rural Residential and used for agriculture and farmsteads. This is a rural area.
2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned RR Rural Residential which permits a rather limited range of uses which are primarily residential, agricultural and institutional uses typically found in low density residential settings. The site could be used as currently zoned.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of the request subject to the recommended conditions should limit anticipated negative effects to nearby properties.
4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval would provide the applicant additional space to properly serve the children in need of care. Denial would force the applicant to amend his plan in order to fit the accessory uses within the primary structure. The limitation on the number of children and the types of uses allowed in the accessory structure should protect the public's health, safety and welfare.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The plan does not contain policies specific to this request however, the proposed 20-acre site is consistent with the property's "rural" designation, and large lot residential uses found in rural areas.
6. Impact of the proposed development on community facilities: The proposed use should not impact community facilities to any greater degree than individual residences located on 5-acre lots. The 20-acre site could be platted into at least four five-acre home sites, which could generate up to 40 daily vehicle trips.

DERRICK SLOCUM Planning staff presented the staff report

VAN FLEET in at 1:40 P.M.

RUSS EWY, BAUGHMAN COMPANY briefly reviewed the application.

HENTZEN asked if the applicant agreed with the five restrictions listed on the staff report.

EWY responded yes, that they had worked with City and County staff on the conditions.

JOHN BENEKE, 11152 N. WOODLAWN, said he lived directly across the street from the proposed project. He said he thought there had been 100% opposition on this proposal. He added that when it was presented to the County Commission, the unit was located further back from the road and out of sight. He said he was concerned about property values and that there had already been problems with the roads being torn up from construction. He said the project was billed and sold that it would be out of sight, but now they want a sign out front. How could that happen? He said he thought this home was being used as something other than residential community use.

CHAIRMAN DOWNING said he would ask the agent to address his questions.

EWY said there had not been 100% opposition to the project but during the original request and negotiations and discussions, they had met with nine to ten property owners represented by Attorney Bob Kaplan. He said they had sent Mr. Kaplan a copy of the amendment as a courtesy and that although Mr. Kaplan hadn't spoken with all of his clients, none of his original clients had a problem with the amendment. He commented that Mr. Beneke lived several hundred feet south of the project. He added that the building set back would conform to the original home behind the hedgerow. He said the sign was the same make and model as a sign that would be in front of any subdivision. He added that although the project was one house at this time, they didn't believe the sign was that much of a detraction and was the same as any sign on any other estate type lot.

MITCHELL asked about the need for the sign.

EWY responded that the site is 20 acres and that this may be the first of four total homes on the property. He said with the planned expansion, they would want some type of signage.

GISICK in at 1:50 P.M.

ADAM GRAGG, YOUTH HORIZONS said they are a non-profit organization and that they would like the sign for the purpose of visibility for referral sources and donors, since they are primarily supported through individual donations. He said it would also make it easier for patrons who want to view the property to find it as well as parents who come out at night to visit their children.

GISICK asked why that could not be accomplished within normal sign restrictions?

EWY said sign restrictions were fairly severe and added that the sign they were proposing was comparable to signs located in front of other residential developments.

GISICK said he had no objection to the sign, but saw no reason for it.

HILLMAN said he thought an 18" X 6' sign would accomplish the same thing and saw no reason to approve the extra large sign.

BISHOP asked staff if this proposed sign was comparable to what is allowed for subdivisions, what size sign is allowed for a subdivisions, and was this area zoned differently?

SLOCUM said as long as the area was platted as a subdivision, the sign code allowed a 32 square foot sign. He commented that this area was zoned rural residential. He said the sign code is determined by the zoning and type of business.

BISHOP asked if they added additional homes, would a zone change be required?

SLOCUM responded no.

MILLER provided further clarification on **BISHOP's** question regarding a zone change stating that as long as the lots met the minimum lot size and were platted appropriately for single-family occupation consistent with the zoning code. He said 20 acres or less must be platted and he understood the applicant was going to plat the tract anyway.

Responding to another question from **BISHOP**, **MILLER** explained that a typical subdivision sign was 32 square feet.

EWY said once this group residence has been established and people see Youth Horizons in operation, then the applicant may seek additional units. He said there was no guarantee or game plan for the rest of the development, which may take anywhere from 1-5 years to complete.

MOTION: To approve subject to staff recommendation.

MARNELL moved, **ANDERSON** seconded the motion, and it carried (13-1). **HILLMAN** – No.

Task Force – Derby Zoning Area of Influence

CHAIRMAN DOWNING announced that two members of the MAPC would be appointed to a Task Force to assist in adjudicating an agreement with Derby concerning their Zoning Area of Influence. He said he (since he lived in Derby) and **VAN FLEET** would be those appointees.

Workshop

CHAIRMAN DOWNING announced that a workshop was being planned to discuss some basic definitions of zoning and other planning items. In addition, he said **MITCHELL** had expressed an interest in review and revision of the Comprehensive Plan.

MITCHELL commented that seldom do any of the Commissioners read any of the Plan as it relates to proposals they review and whether the proposals comply with the Plan. He said he feels there are too many opportunities for differences of opinion on issues the Commission addresses, and he was proposing a major simplification and removal of much of the verbiage.

CHAIRMAN DOWNING suggested a committee of four or five people be appointed to look at the possibility of reducing the size and volume of the Plan.

BISHOP asked what was the purpose of the workshop and said any revision of the Comprehensive Plan would involve a lot more than simply the Planning Commission. She said others would need to be involved including stakeholders, people from the public, and others in order to receive public input.

CHAIRMAN DOWNING requested clarification that at some point during the review process the Commission would need to hold a public meeting?

ROBERT PARNACOTT, ASSISTANT COUNTY COUNSELOR, responded that was correct.

CHAIRMAN DOWNING said the committee would hold a public hearing in order to get information and input from the public. He also commented that he believes the Plan is supposed to be reviewed annually by the MAPC.

DIRECTOR SCHLEGEL provided further clarification that the purpose of the committee was to establish what should be included in the Comprehensive Plan and then obtain public input.

CHAIRMAN DOWNING commented that the committee could then bring their recommendations to the MAPC in a workshop session.

MITCHELL commented that in the past, the MAPC held between 10-15 stakeholder meetings that didn't produce enough information to help the Commission.

BISHOP suggested that the issue be referred to the Advance Plans Committee.

DIRECTOR SCHLEGEL said that was a good group to start with and suggested that any others who might want to participate contact him.

JOHNSON out at 3:05 P.M.

ANDERSON agreed with the idea of establishing a small group to take a serious look at the whole Plan; how the Plan is developed, projects included in the plan, etc. and bring their recommendations to the Planner Commission for review and discussion. He said he would like to volunteer to serve on the committee.

There was considerable discussion concerning the process for previous Comprehensive Plan revisions, which included the MAPC being labeled as racist, shouting matches at public hearings, and review of revisions by outside consultants.

CHAIRMAN DOWNING proposed that Advance Plans staff be asked to review the Comprehensive Plan and provide a recommendation to the full MAPC on what needed to be retained and what might be considered for deletion, with the caveat that anyone not on the Advance Plans Committee who is interested in the issue be notified of meeting times and places.

DIRECTOR SCHLEGEL asked MAPC members to notify him if they would like to participate on the committee so he can let them know when the Advance Plans Committee meets. Responding to a question from **MITCHELL** concerning timing, **SCHLEGEL** commented that the process could start at the next Advance Plans Committee meeting.

ALDRICH said the commission might want to consider a workshop to review the Subdivision Regulations in the future also.

The Metropolitan Area Planning Department informally adjourned at 3:15 p.m.

State of Kansas)
Sedgwick County) ss

I, John L. Schlegel, Secretary of the Wichita-Sedgwick County Metropolitan Area Planning Commission, do hereby certify that the foregoing copy of the minutes of the meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission, held on _____, is a true and correct copy of the minutes officially approved by such Commission.

Given under my hand and official seal this _____ day of _____, 2007.

John L. Schlegel, Secretary
Wichita-Sedgwick County Metropolitan
Area Planning Commission

(SEAL)